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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,928	12/13/2001	Mark Allan Hoffman	72543	4991

7590 08/04/2003

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EXAMINER

GLENN, KIMBERLY E

ART UNIT PAPER NUMBER

2817

DATE MAILED: 08/04/2003

Restart

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/021,928		HOFFMAN, MARK ALLAN	
	Examiner		Art Unit	
	Justin P. Bettendorf		2817	

-- Th MAILING DATE of this communication appears on th cov r sh t with the correspondenc addr ss --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the surface mount pads in the embodiment of figures 11-13C as recited in claim 7 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The limitations of claims 7-9 including surface mount connector pads and potting material are not described with respect to the embodiment of figures 11-13C.

Claim Objections

3. Claims 14 and 17 are objected to because of the following informalities: Each of claims 14 and 17 recite a "proximal end" and "distal end" but do not recite of what these ends are. This could cause confusion. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Hoffman United States Patent No. 6,084,487 (cited by the applicant) in view of Shult United States Patent No. 3,621,484 and Suppelsa et al. United States Patent No. 5,591,364.

*It should be noted that claims 1-16 are not fully supported by the disclosure of the earlier filed U.S. applications (09/603,369 or 09/200,214). Accordingly, claims 1-16 have an effective filing date equal to 12/13/2001, which is more than one year after the publication date of United States Patent No. 6,084,487 (i.e. 7/4/2000). Therefore, United States Patent No. 6,084,487 is available as prior art for claims 1-16 (see MPEP 706.02).

The Hoffman reference discloses elements of the claimed high frequency filter in figures 1-10 including the method of designing the filter using the Internet (see col. 8, lines 1-11). The reference further discloses that the tap or coupler housing 44 (see figure 2) is removable (see col. 5, lines 15-20) but does not disclose the mechanical means for facilitating the mechanical connections.

The Shult reference discloses screws 46, 48 that are removable and hold the coil in place (see figure 3). Also, the Suppelsa et al. reference discloses that snap-fit joints including a stud (i.e. "nub") 14 fits into a depression 16 as is shown in figure 1. The reference further discloses that the snap-fit joints are equivalent to screws but are rapid and economical compared to screws (see col. 2, lines 50-68).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to have added mechanical fittings on the removable tap housing in the filter of

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Hoffman as taught by Shult and Suppelsa et al. because, as the Hoffman reference is silent on the specific means for making the tap/coupler housing removable, any art-recognized equivalent means such as screw/hole fittings or snap-fit would have been usable therewith.

Claims 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimizu JP 03-174801 in view of Guglielmi United States Patent No. 5,557,530.

The Shimizu reference discloses in figure 1 a helical filter that includes first and second coils 1 and 2 with a generally open end with an "identified" signal coupler 6 (which is inherently removable because it is shown as being physically separate in figure 1 with respect to claim 18) and a closed end opposite thereto. However, the reference does not disclose (at least in English) the steps of accessing a computer program over the Internet.

The Guglielmi reference discloses designing a filter using a computer program by providing the filter characteristics as inputs (see col. 4, lines 62-68 and col. 6, lines 43-50) that allows easy design of filters (see col. 6, lines 36-50). Moreover, as would have been well known, accessing computer programs from remote locations using various means such as the Internet was conventionally used and would have been considered an art-recognized equivalent method to accessing the program locally.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to have designed the filter of Shimizu using a computer as taught by Guglielmi because such a modification would have advantageously facilitated the design. Additionally, the use of the Internet would have been considered an obvious art-recognized equivalent substitution of accessing the program to accessing the program locally. With respect to the choice of tap or loop coupling, it should be noted that each of these types of coupling are conventionally used in

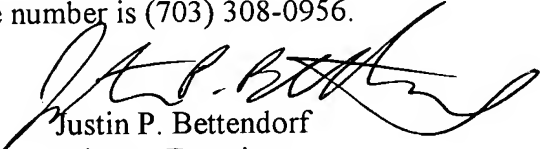
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helical filters. Therefore, use of one or the other would have been considered a mere substitution of art-recognized equivalent couplings.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin P. Bettendorf whose telephone number is (703) 308-2780. The examiner can normally be reached on 6:00-3:30 (M-F, 1st Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Pascal can be reached on (703) 308-4909. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.


Justin P. Bettendorf
Primary Examiner
Art Unit 2817

jpb
November 14, 2002